

REMARKS/ARGUMENTS

In response to the Species Election mailed October 3, 2003, Applicants elect, for purposes of examination, the following species:

- (A) a single agent as recited in claim 91;
- (B) cinapinic acid, *i.e.*, CHCA, as the matrix material recited in claim 97;
- (C) cinapinic acid, *i.e.*, CHCA, as the energy absorbing material recited in claim 98;
- (D) an antibiotic as the agent;
- (E) Applicants do not see where in claim 88 "a detectable moiety" is recited; if such a species election is required, Applicants request clarification;
- (F) a cell surface receptor as the receptor;
- (G) a substrate-docked ligand, wherein the adsorbent comprises an antibody as recited in claim 86; and
- (H) a ligand or a receptor docked to the substrate, wherein the ligand or the receptor is a non-fusion protein.

As stated in MPEP § 809.02(a), "[u]pon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR § 1.141."

In addition to responding to the Species Election, Applicants have amended claims 86, 89 and 91 (and canceled claim 85) as suggested by the Examiner during a telephonic interview with the undersigned. The amendments relate to formal matters and, thus, no new matter has been introduced. It is Applicants' understanding that with the above amendments, the claims are in condition for allowance.

Appl. No. 09/100,633
Prel. Amdt. dated December 3, 2003
Reply to Species Election of October 3, 2003

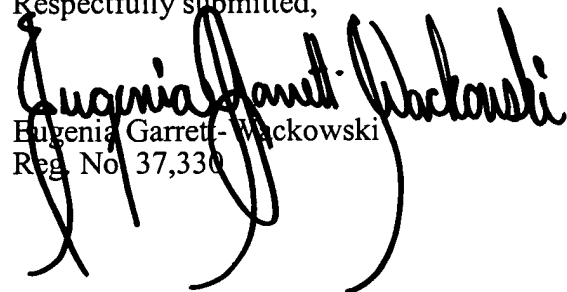
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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,


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